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PTO/SB/02 (03-03)  
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<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/800,792
	Filing Date	March 7, 2001
	First Named Inventor	John C. Evans
	Art Unit	1761
	Examiner Name	Steven L. Weinstein
	Attorney/Doctol Number	BNE-138

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unexamined amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unexamined amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

1. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

2. ☒ Other: After Final Amendment filed on December 1, 2003

b. ☒ Enclosed

1. ☐ Amendment/Reply

2. ☐ Affidavit(s)/Declaration(s)

3. ☐ Information Disclosure Statement (IDS)

4. ☒ Other: Preliminary Response

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(e) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-3000

a. ☒ RCE fee required under 37 CFR 1.17(e) \$385.00 (small entity)

b. ☒ Extension of time fee (37 CFR 1.136 and 1.17) \$475.00 (3 months)

c. ☐ Other \_\_\_\_\_

d. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

e. ☐ Payment by credit card (Form PTO-5034 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-5034.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type) DAVID H. BRINKMAN Registration No. (Attorney/Agent) 201537

Signature [Signature] Date 2/10/04

**CERTIFICATE OF MAILING OR TRANSMISSION**

In every case where the correspondence is being deposited with the United States Postal Service with sufficient postage as that stated read in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the 4250 specification.

Name (Print/Type) David H. Brinkman Date 2/10/04

Signature [Signature]

This collection of information is required by 37 CFR 1.114. This information is required to obtain or retain a benefit by the public which is to be (and by the USPTO is processed) on application. Confidentiality is governed by 38 U.S.C. 525 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and reviewing the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send To: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-6189 and select option 2.

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